

NEWS

From the Office of

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County Returns Fees to Small Business

SAN BERNARDINO – The San Bernardino County Board of Supervisors today voted to return nearly \$200,000 in fees collected from small businesses by the County Fire Department for storing small amounts of carbon dioxide for soda machines.

“These fees were levied based on an interpretation of an old state law that wound up hurting numerous small businesses and non-profit groups,” said First District Supervisor Brad Mitzelfelt. “When this came to the attention of the Board of Supervisors, we took action to correct the situation. In these difficult times, we need to make sure we are supporting small businesses to grow our economy and create jobs. We should not apply regulations that provide no benefit to public safety but could drive business away.”

The San Bernardino County Fire Department Hazardous Materials Division began requiring businesses that have CO₂ in quantities of 200 cubic feet (about two small tanks) or more submit a Hazardous Materials Business Plan and a \$408 fee in order to comply with a decades-old state regulation that historically had not been applied to CO₂ storage for soda dispensers.

“It is rare for government to return fees that have already been collected,” said Supervisor Mitzelfelt. “As many as 1,500 businesses and other groups were potentially affected by this fee.”

“I believe the County should explore developing an ordinance to exempt community groups and businesses that store CO₂ for soda machines from this costly regulation,” said Second District Supervisor Paul Biane. “Other business-friendly counties such as the County of San Diego have already taken this step, so it shouldn’t take long for the County to create a similar ordinance.” Supervisor Mitzelfelt agreed.

The County of San Diego exempts businesses and organizations that store less than 6,000 cubic feet of CO₂ from the state Hazardous Materials Business Plan requirement. Like other counties with similar exceptions for CO₂, San Diego County’s ordinance also exempts flower and balloon shops that store small quantities of compressed helium from the Business Plan fee.